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8
9 IN THE UNITED STATES DISTRICT COURT FOR THE
10
11 NORTHERN DISTRICT OF CALIFORNIA
12
13 SAN JOSE DIVISION
14

15 HARD DRIVE PRODUCTIONS, INC.,)

16 Plaintiff,)

17 v.)

18 DOE 1,)

19 Defendant.)

No. C-11-03648 HRL

**NOTICE OF VOLUNTARY
DISMISSAL OF ACTION WITHOUT
PREJUDICE**

20 **NOTICE OF VOLUNTARY DISMISSAL OF ACTION WITHOUT PREJUDICE**

21 **NOTICE IS HEREBY GIVEN** that, pursuant to Federal Rule of Civil Procedure
22 41(a)(1), Plaintiff voluntarily dismisses this action in its entirety without prejudice.

23 After the Court's November 23, 2011 Order (1) Granting Motion to Sever; (2) Dismissing
24 Does 2-84 Without Prejudice; (3) Denying Motion for Sanctions; And (4) Finding as Moot all
25 Pending Motions to Quash, as well as the Court's December 19, 2011 Order Denying Plaintiff's
26 Motion for Clarification and Motion for Leave to Seek Reconsideration, which apparently limited
27 this case to only allow Plaintiff to seek information regarding the account holder related to the first
28 Internet Protocol address listed on Plaintiff's Exhibit A to its Complaint (as the Court called that
individual, "Doe 1"), Doe 1's Internet Service Provider was unable to provide Plaintiff with Doe 1's

1 identifying information. At this point, it appears such information has been deleted, and no longer
2 exists. Plaintiff cannot pursue any of the infringers in this case, and, instead, must voluntarily
3 dismiss the matter in light of the above.

4 In accordance with Federal Rule of Civil Procedure 41(a)(1), the Doe Defendant remaining
5 in this case has neither filed an answer to Plaintiff's Complaint, nor a motion for summary judgment.
6 Dismissal under Federal Rule of Civil Procedure 41(a)(1) is therefore appropriate.
7

8 Respectfully Submitted,

9 PRENDA LAW INC.,

10 **DATED: February 15, 2012**

11 By: /s/ Brett L. Gibbs, Esq.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 15, 2012, all individuals of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document, and all attachments and related documents, using the Court's ECF system, in compliance with Local Rule 5-6 and General Order 45.

/s/ Brett L. Gibbs
Brett L. Gibbs, Esq.